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SOFTWARE PIRACY RINGLEADER EXTRADITED FROM AUSTRALIA

WASHINGTON – In one of the first ever extraditions for an intellectual property offense, the leader of one of the oldest and most renowned Internet software piracy groups was arraigned today in U.S. District Court, Assistant Attorney General Alice S. Fisher of the Criminal Division and U.S. Attorney Chuck Rosenberg for the Eastern District of Virginia announced today.

Hew Raymond Griffiths, 44, a British national living in Bateau Bay, Australia, appeared today in U.S. District Court in Alexandria, Va., before Magistrate Judge Barry R. Poretz. The defendant was extradited from Australia and is charged with one count of conspiracy to commit criminal copyright infringement and one count of criminal copyright infringement. If convicted on both counts, Griffiths could receive a maximum sentence of 10 years in prison and a \$500,000 fine. Prior to his arrival in the United States, he had spent nearly three years incarcerated at a detention center in Australia while fighting his extradition in Australian court.

“Griffiths claimed to be beyond the reach of U.S. law, and today, we have proven otherwise,” said Assistant Attorney General Alice Fisher. “This extradition represents the Department of Justice’s commitment to protect intellectual property rights from those who violate our laws from the other side of the globe.”

“Our agents and prosecutors are working tirelessly to nab intellectual property thieves, even where their crimes transcend international borders,” said U.S. Attorney Chuck Rosenberg.

The indictment, which was returned in March 2003, charges Griffiths with violating the criminal copyright laws of the United States as the leader of an organized criminal group known as DrinkOrDie, which had a reputation as one of the oldest security-conscious piracy groups on the Internet. DrinkOrDie was founded in Russia in 1993 and expanded internationally throughout the 1990s. The group was dismantled by the Justice Department and U.S. Immigration and Customs Enforcement as part of Operation Buccaneer in December 2001, with more than 70 raids conducted in the U.S. and five foreign countries, including the United Kingdom, Finland, Norway, Sweden, and Australia. To date, Operation Buccaneer has resulted in 30 felony convictions and 10 convictions of foreign nationals overseas. Prior to its dismantling, DrinkOrDie was estimated to have caused the illegal reproduction and distribution of more than \$50 million worth of pirated software, movies, games and music.

“Counterfeiting and piracy of intellectual property are global parasites estimated to rob the legitimate world economy of more than \$400 billion annually,” said Assistant Secretary Julie Myers. “The indictment charges that Griffiths was co-leader of DrinkOrDie, which was part of an underground online community that consisted of individuals and organized groups who used the Internet to engage in the large-scale, illegal distribution of copyright protected software, games, movies and music worth \$50 million.”

According to the indictment, Griffiths, known by the screen nickname “Bandido,” was a longtime leader of DrinkOrDie and an elder in the highest echelons of the underground Internet piracy community, also known as the warez scene. He held leadership roles in several other well-known warez groups, including Razor1911 and RiSC. In an interview published in December 1999 by an online news source, he boasted that he ran all of DrinkOrDie’s day-to-day operations and controlled access to more than 20 of the top warez servers worldwide. In fact, Griffiths claimed to reporters that he would never be caught.

According to the indictment, Griffiths oversaw all the illegal operations of DrinkOrDie which specialized in cracking software and distributing the cracked versions over the Internet. Once cracked, these software versions could be copied and used without limitation. Members stockpiled the illegal software on huge Internet computer storage sites that were filled with tens of thousands of individual software, game, movie and music titles worth millions of dollars. The group used encryption and an array of other sophisticated technological security measures to hide their activities from law enforcement.

This case is being prosecuted by Deputy Chief Michael DuBose and trial attorney Jay Prabhu of the Criminal Division’s Computer Crime and Intellectual Property Section, and Assistant U.S. Attorney Robert Wiechering of the Eastern District of Virginia.

The charges contained in the indictment are allegations only and the defendant is presumed innocent until convicted at trial.

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